

**IN THE EASTERN CARIBBEAN SUPREME COURT  
HIGH COURT OF JUSTICE  
BRITISH VIRGIN ISLANDS  
COMMERCIAL DIVISION**

**CLAIM NO: BVI HC (COM) 2010/107**

**B E T W E E N:**

**Trade and Commerce Bank (In Official Liquidation)  
(a company incorporated in the Cayman Islands)**

**Claimant**

**and**

**Kesten Development Corporation**

**Defendant**

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**AFFIDAVIT OF SERVICE**

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**I, SINEAD FINOLA HARRIS** of Forbes Hare, Palm Grove House, P.O. Box 4649, Road Town, Tortola, VG1110, British Virgin Islands **MAKE OATH** and say as follows:


1. I am employed as an associate lawyer of the law firm Forbes Hare of the above address.
2. The contents of this affidavit are within my personal knowledge and are true or, where not within my personal knowledge, are true to the best of my knowledge, information and belief.
3. On 18 August 2010 at approximately 2:00 pm I attended at the offices of Sucre & Sucre Trust Limited at Chera Chambers, Road Town, Tortola, British Virgin Islands.
4. I served the following documents (hereinafter referred to as the “**Documents**”) on the Defendant by leaving them at the address set out at paragraph 3 above:
  - a. Claim Form, filed 18 August 2010;
  - b. Statement of Claim, filed 18 August 2010;
  - c. Notes to the Defendant;



- d. Form of Acknowledgment of Service; and
  - e. Form of Defence.
5. The Documents were received by Nina Peters of Sucre & Sucre Trust Limited at 2.09 pm.
  6. I asked to have my covering letter signed to evidence service and Ms Peters agreed to do so. The receipted letter of service, signed by Ms Peters, is now produced and shown to me and exhibited hereto as **Exhibit SH-1**.
  7. I understand the service described above to constitute valid service of the Documents on Kesten Development Corporation.

SWORN by the within-named  
 Sinead Finola Harris  
 This 19<sup>th</sup> day of August 2010  
 at Road Town, Tortola,  
 British Virgin Islands

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 Sinead Finola Harris

BEFORE ME

A COMMISSIONER TO ADMINISTER OATHS  
 IN THE BRITISH VIRGIN ISLANDS



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**AFFIDAVIT OF SERVICE**

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**Forbes Hare**

P.O. Box 4649

Road Town, Tortola

British Virgin Islands

Tel: (284) 494 1890

Fax: (284) 494 1316

Legal Practitioners for the Respondent



**IN THE EASTERN CARIBBEAN SUPREME COURT  
HIGH COURT OF JUSTICE  
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**CERTIFICATE OF EXHIBIT SH-1**

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I CERTIFY that this is the exhibit referred to as "SH-1" at paragraph 6 of the Affidavit of Service, dated 19 August 2010 .

DATED this 19<sup>th</sup> day of August 2010

  
A COMMISSIONER TO ADMINISTER OATHS  
FOR OATHS  
BRITISH VIRGIN ISLANDS

# Forbes Hare

Palm Grove House • P.O. Box 4649  
Road Town • Tortola • VG1110  
British Virgin Islands

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[www.forbeshare.com](http://www.forbeshare.com)

**Direct:** +1 284 852 1896  
**Email:** daniel.waldek@forbeshare.com  
**Ref:** 4321-001/WRH/DW/RN

## BY HAND

Kesten Development Corporation  
Care of Sucre & Sucre Trust Limited  
Chera Chambers  
Main Street  
P.O. Box 3163  
Road Town  
Tortola  
British Virgin Islands

18 August 2010

Dear Sirs

## Trade and Commerce Bank (In Official Liquidation) v Kesten Development Corporation

Please find enclosed by way of service copies of the following documents:

- 1) Claim Form;
- 2) Statement of Claim;
- 3) Notes to Defendant;
- 4) Form of Acknowledgment of Service; and
- 5) Form of Defence.

Yours faithfully



**Forbes Hare**

Served On:	Kesten Development Corporation
Served By:	Forbes Hare
Date Served:	18/08/10
Time Served:	2:09 pm
Received By:	[Signature]

ClO  
Sucre & Sucre

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**CERTIFICATE OF EXHIBIT SH-1**

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**Forbes Hare**

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**Legal Practitioners for the Respondent**